



Department of
Human Services

Summer Food Service Program Workshop

2021

Which group are you representing?

- A. At-Risk Afterschool Programs
- B. Camp/Migrant Site
- C. Childcare Center
- D. Emergency Shelter
- E. Family/Group Childcare Home
- F. Government Agency
- G. Non-profit organization
- H. School System
- I. Other
- J. New Sponsor

Waivers

- #83 Nationwide Waiver to Allow Sponsors that Successfully Participated in the Summer Food Service Program in Fiscal Year 2019 to Operate as Experienced Sponsors in Fiscal Year 2021
- #81 Nationwide Waiver to Waive First Week Site Visits in the Summer Food Service Program for Summer 2021 Operations
- #80 Nationwide Waiver to Allow Area Eligibility for Closed Enrolled Sites for Summer 2021 Operations

Waivers

- #79 Nationwide Waiver to Allow Offer Versus Serve Flexibilities in the Summer Food Service Program for Summer 2021 Operations
- #78 Nationwide Waiver of Meal Service Time Restrictions for Summer 2021 Operations
- #77 Nationwide Waiver to Extend Area Eligibility Waivers for Summer 2021 Operations
- #76 Nationwide Waiver to Allow Parents and Guardians to Pick Up Meals for Children for Summer 2021 Operations

Waivers

- #75 Nationwide Waiver to Allow Non-Congregate Feeding for Summer 2021 Operations
- #74 Nationwide Waiver to Allow Meal Pattern Flexibilities for Summer 2021 Operations
- #73 Child Nutrition Waiver Update
- #71-Nationwide Waiver of Food Service Management Contract Duration in the National School Lunch Program and Summer Food Service Program-**Extension**

Waivers

- #70 Nationwide waiver to allow meal pattern flexibility in SFSP/SSO – Extension #8
- #69 Nationwide Waiver to Allow Reimbursement for Meals Served Prior to Notification of Approval and Provide Flexibility for Pre- Approval Visits in the Summer Food Service Program- Extension
- #67 Nationwide Waiver to Allow Offer Versus Serve Flexibilities in the Summer Food Service Program – Extension 2

Waivers

- #66 Nationwide Waiver of Meal Service Time Restrictions in the Summer Food Service Program and the National School Lunch Program Seamless Summer Option - **Extension 2**
- #65 Nationwide Waiver to Waive First Week Site Visits in the Summer Food Service Program - **Extension 2**
- #64 Nationwide Waiver to Allow Area Eligibility for Closed Enrolled Sites in the Summer Food Service Program and the National School Lunch Program Seamless Summer Option - **Extension 2**

Waivers

- #62 Nationwide waiver to allow parents and guardians to pick up meals for children – Extension #5
- #61 Nationwide waiver to allow non-congregate feeding in SFSP/SSO – Extension #5
- #60 Nationwide Waiver to Extend Area Eligibility Waivers – Extension #3
- #59 Nationwide waiver to allow SFSP and SSO operations through SY 2020-21 – Extension

Memorandums

- SP 05-2021, CACFP 04-2021, SFSP 04-2021: Questions and Answers Relating to the Nationwide Waiver to Allow Summer Food Service Program and Seamless Summer Option Operations during School Year 2020-2021 – Q&As #4
- SP 04-2021, CACFP 03-2021, SFSP 03-2021: Questions and Answers Relating to the Nationwide Waiver to Allow Summer Food Service Program and Seamless Summer Option Operations during School Year 2020-2021 – Q&As #3
- SP 03-2021: Fresh Fruit and Vegetable Program Operations for SY 2020-21 during COVID-19
- SP 01-2021, CACFP 01-2021, SFSP 01-2021: Questions and Answers Relating to the Nationwide Waiver to Allow Summer Food Service Program and Seamless Summer Option Operations through School Year 2020-2021 – EXTENSION – Q&As #2

Summer Food Service Program

- 🍎 **Bridges the gap between school years**
- 🍎 **Federally-funded by USDA**
- 🍎 **State-administered by TDHS**
- 🍎 **Provides free meals and snacks to children in low-income areas**
- 🍎 **Child and Adult Care Food Program (CACFP) and SFSP are operated differently.**
 - 🍎 **Food is distributed to sites in SFSP; instead of reimbursement**

Reimbursement

January 1, 2021-December 31, 2021

Per Meal Rates	Continental US	Continental US
Site Types	Rural or Self-Prep	All Other Types
Breakfast	2.4625	2.4150
Lunch or Supper	4.3175	4.2500
Snack	1.0200	0.9975
Administrative Rates	Continental US	Continental US
Site Types	Rural or Self-Prep	All Other Types
Breakfast	0.2225	0.1750
Lunch or Supper	0.4075	0.3400
Snack	0.1100	0.0875

Federal Register/Vol. 85 No.251/Thursday, December 31, 2020/Notices

Types of Sites

- 🍏 **Open, restricted open, closed-enrolled, and camps**
- 🍏 **Located in schools, parks, playgrounds, churches, housing locations, libraries, and more...**
- 🍏 **Can provide fun enrichment activities**

Site Area Eligibility

Open and Restricted-Open Sites

1. School Data
2. Census Data
3. Eligibility may also be determined using:
 - ❖ Departments of Welfare
 - ❖ Zoning Commissions
 - ❖ USDAs Rural Development Housing Authority
 - ❖ Local Housing Authority
 - ❖ Tribal Authority
4. Migrant Sites
5. Income eligibility forms

Site Eligibility

Closed-Enrolled and Camps

- Income Eligibility Forms
- Closed-enrolled-at least 50% of enrolled children must be eligible for free or reduced-price school meals.
- Sponsors are reimbursed for meals served to eligible children.

Additional Training

- Sponsors of camps or closed-enrolled sites require additional training on income eligibility (meal benefit) forms.
- Contact TDHS or reach out to a Program Specialist.




Tennessee Department of Human Services
Summer Food Service Program
(615) 313-4749
tnsfsp.dhs@tn.gov

Eligibility and Meals

- 🍏 **Children 18 years and younger**
- 🍏 **2 meals each day**
- 🍏 **Camp Sites and Migrant Sites: up to 3 meals each day**

Sponsors

Work directly with TDHS

-  **Apply via the Tennessee Information Payment System (TIPS)**
-  **Not For Profit**
-  **File claims for reimbursement**

How do I apply as a sponsor?

1. Complete training

-  Sponsor Training (online)
-  SFSP Workshops (in person)

2. Submit information to: tnsfsp.dhs@tn.gov

3. Apply for SFSP in TIPS

TIPS Access (New Sponsors)

- Email tnsfsp.dhs@tn.gov
 - DUNS
 - FEIN
 - Name of Organization
 - Type of Organization
 - Your name and title within the organization
 - Organization's address
 - The email address associated with your organization
 - Phone Number
 - Sam.gov registration

Questions





Department of

Human Services

SFSP Sponsor Requirements

Before You Start

- Documentation of Tax Exempt Status:
 - 501(c)(3): Private non-profit
 - Secretary of State verification: Religious organizations
 - Verification of tax exempt status: All other public agencies
- DUNS
- FEIN
- Bond Requirement and Background Check
- Documentation of Financial History:
 - Including verification of year-round public service to the area served

501(c)(3)

- Allows for federal tax exemption of nonprofit organizations
- Obtained from the Internal Revenue Service
 - Form 1023 or 1023-EZ
 - www.irs.gov/charities-non-profits/application-for-recognition-of-exemption

501(c)(3)

- Religious organizations must be tax-exempt
 - No Federal requirement that they provide documentation of tax-exempt status
 - Must provide documentation that they are legally a religious organization
 - <https://sos.tn.gov/business-services>

IRS Revocation List

- Verified by DHS prior to approving applications

<https://www.irs.gov/charities-non-profits/automatic-revocation-of-exemption>



DUNS

- Data Universal Numbering System
- Nine-character number
- Used to track how federal money is allocated
- Sponsors need to apply with Dun & Bradstreet (D&B)
 - <https://fedgov.dnb.com/webform>

System for Award Management (SAM)



A NEW WAY TO SIGN IN - If you already have a SAM account, use your **SAM email** for login.gov.

Log In

[Login.gov FAQs](#)

[HOME](#)

[SEARCH RECORDS](#)

[DATA ACCESS](#)

[CHECK STATUS](#)

[ABOUT](#)

[HELP](#)



ALERT: SAM.gov will be down for scheduled maintenance Saturday, 02/15/2020 from 8:00 AM to 1:00 PM

The System for Award Management (SAM) is an official website of the U.S. government. There is no cost to use SAM. You can use this site for **FREE** to:

- Register to do business with the U.S. government
- Update or renew your entity registration
- Check status of an entity registration
- Search for entity registration and exclusion records

Getting Started

Create A User Account



Start by creating a SAM user account.

Register Entity



After creating your SAM user account, log in to register to do business with the U.S. government.

Search Records



Do a public search for existing entity registration records or exclusion records.

TN

Department of
Human Services

FEIN

- Federal Employer Identification Number
- 9 digit number assigned by the IRS
- Separate from the tax-exempt status
- <https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online>

Bond Requirement & Background Check

- Information can be found in TIPS
- Background is required for the person who signs the application
- A bond or waiver is required for all participating Sponsors
 - If you participate in CACFP a separate bond for SFSP is needed
- Annual background checks

How Do You Get Paid?

- Supplier Direct Deposit Authorization Form (ACH)-submit to the Department of Finance and Administration
 - Include W-9
- **DO NOT** upload in TIPS
- Resubmit the form if information has changed

Training

- Training is a major administrative responsibility of a sponsor.
- Use the Administration Guide to help with training curriculum.
- Schedule staff training once it is developed and planned.
- Complete the TDHS training roster that includes:
 - Date
 - Attendee names and signatures
 - Topics

Training

- Site Supervisor Handbook
- Health and Safety
- DHS can come to your staff training, upon request
- Civil Rights Training is a requirement
 - Found online at tn.gov

Staff

- Staffing must fulfill the needs of the program
- Size and type will dictate staffing needs
- Use volunteers to help:
 - Senior citizen programs, volunteer groups, local colleges, local summer job programs

Identifying Sites

- Use mapping tools
 - Capacity Builder:
<https://www.fns.usda.gov/capacitybuilder>
- Site Outreach
 - Invite unique guests to spark interest
 - Feature fun and exciting meals
 - Activities

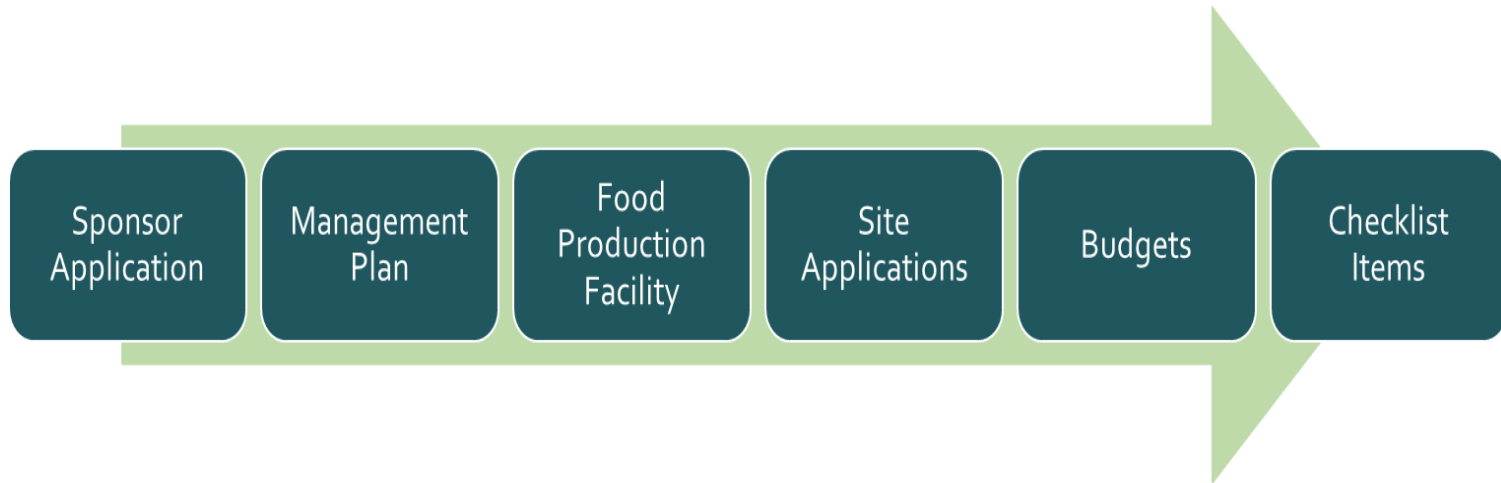
SFSP Sponsor Requirements



Application Requirements



TIPS Training



- This is the order to complete the SFSP application.
- Technical Assistance can be requested with the application if you need additional one-on-one support.

Why is the Application Important?

- Everything is driven by the information in the application.
- The application can be updated throughout the summer, as needed.
- Changes must be approved by TDHS prior to implementation.
 - Make changes in TIPS
 - Resubmit application

Application Requirements

- Access to the SFSP application is currently available in TIPS.
- Notification of approval or denial will be issued within 30 days of TDHS receiving a **complete** application.
- May 1st is the application deadline.

Application Requirements

- Submit documentation of tax-exempt status.
- Demonstrate adequate administrative and financial responsibility to manage an effective food service.
- Complete site application for each proposed site.

Application Requirements

- For closed-enrolled sites and camps, provide a written policy statement on free meals.
- Upload a copy of the completed media release.

Media Release: SFSP Open Sites

News Release: SFSP Open Sites

Submitted to: [Insert Media Outlet Name] on [Insert Date]

[Insert name of sponsor] is participating in the Summer Food Service Program. Meals will be provided to all children without charge and are the same for all children regardless of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity, and there will be no discrimination in the course of the meal service (not all prohibited bases apply to all programs.). Meals will be provided, at a first come, first serve basis, at the sites and times as follows:

[List all sites and the starting and ending times of meal service for each site.]

To file a program complaint alleging discrimination, complete the USDA Program Discrimination Complaint Form (AD-3027), found online at http://www.ascr.usda/gov/complaint_filing_cust.html and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866)632-9992. Submit your completed form or letter to USDA by:

Mail:

U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410

Fax: (202)690-7442; or

Email: Program.intake@usda.gov

This institution is an equal opportunity provider.

Media Release: Enrolled Sites & Camps

Media Release: SFSP Enrolled Sites and Camps

Submitted to: [Insert Media Outlet Name] on [Insert Date]

[Insert name of sponsor] is participating in the Summer Food Service Program. Meals will be provided to all eligible children free of charge. To be eligible to receive free meals at a residential or non-residential camp, children must meet the income guidelines for reduced-price meals in the National School Lunch Program. The income guidelines for reduced-price meals by family size are listed on the next page. Children who are part of households that receive Supplemental Nutrition Assistance Program (SNAP, formerly food stamps) benefits or benefits under the Food Distribution Program on Indian Reservations (FDPIR), or Temporary Assistance to Needy Families (TANF) are automatically eligible to receive free meals.

Acceptance and participation requirements for the Program and all activities are the same for all regardless of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity and there will be no discrimination in the course of the meal service (not all prohibited bases apply to all programs.). Meals will be provided at the sites and times as follows:

[List all sites and the starting and ending times of meal service for each site.]

To file a program complaint alleging discrimination, complete the USDA Program Discrimination Complaint Form (AD-3027), found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866)632-9992. Submit your completed form or letter to USDA by:

Mail:

U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410

Fax: (202)690-7442; or Email: Program.intake@usda.gov

This institution is an equal opportunity provider. Rev. 1/2020

Income Eligibility Guidelines

HOUSEHOLD SIZE	Reduced Price Meals – 185%				
	ANNUAL	MONTHLY	TWICE PER MONTH	EVERY TWO WEEKS	WEEKLY
1	23,606	1,968	984	908	454
2	31,894	2,658	1,329	1,227	614
3	40,802	3,349	1,675	1,546	773
4	48,470	4,040	2,020	1,865	933
5	56,758	4,730	2,365	2,183	1,092
6	65,046	5,421	2,711	2,502	1,251
7	73,334	6,112	3,056	2,821	1,411
8	81,622	6,802	3,401	3,140	1,570
For each additional family member, add...	8,288	691	346	319	160

To convert weekly income to monthly income multiply by 4.333.

To convert every two-week income to monthly income multiply by 2.1666.

To convert bi-monthly, or twice per month, income to monthly income multiply by 2.

To convert monthly income to annual income multiply by 12.

This institution is an equal opportunity provider. Rev. 2/2021

Application Requirements

- Submit a ***complete*** management plan that includes staffing needs and an administrative budget.
- Apply for advance payments, if needed.
- Certify that a training program will be conducted for monitors and site personnel.

Application Requirements

- Identify meal service types
 - Food Service Management Company (FSMC) contract
 - Self-preparation
 - School Food Authority (SFA) contract
- For sponsors that plan to use a FSMC or SFA to provide meals, upload the proposed agreement.
- Certify that the sponsor will have direct operational control at each site.

State-Sponsor Agreement

- Sponsors must enter into a Permanent Provider Agreement with the State agency.
- The agreement is a legally binding document that specifies the rights and responsibilities of both the sponsor and State agency, and should be read carefully before being signed.

Permanent Provider Agreement



**TENNESSEE DEPARTMENT OF HUMAN SERVICES
CHILD AND ADULT CARE FOOD PROGRAM (CACFP)/
SUMMER FOOD SERVICE PROGRAM (SFSP)
AGREEMENT BETWEEN THE STATE AND SPONSOR**

Name of Sponsor: _____

Telephone #: (____) ____ - _____ Address: _____

City/State: _____ Zip: _____

Federal Employer Identification Number: _____

DUNS: _____

This Agreement (the "Agreement"), by and between the above-named institution or center (referred to as the "Sponsor") and the State of Tennessee, Department of Human Services (referred to as the "State" or "Department") enter into this Agreement effective _____, 2016 (the "Effective Date"), in accordance with Section 17 of the National School Lunch Program, as amended, and the Regulations governing the Child and Adult Care Food Program ("CACFP") and Summer Food Service Program ("SFSP") set forth in 7 CFR Part 226 and set forth in 7 CFR Part 225.

Provided the Sponsor completes the annual CACFP Application which is approved by the Department, this Agreement will remain in effect and be binding as long as the Sponsor receives funds from the State or has a program fund balance unless: (a) the Sponsor fails to comply with any term or condition of the Agreement; or (b) there are substantive changes in regulations applicable to the CACFP or SFSP which require a new agreement.

A. Responsibilities. As a condition of participation in CACFP, the Sponsor shall:

Sponsor Responsibilities

- Meal ordering
- Assuming recordkeeping
- Information to substantiate claims
- Submitting claims
- Training and monitoring administrative and site staff

Sponsor Responsibilities (cont'd.)

- Announcing availability of meals to the news media
- Determining and maintaining individual income eligibility statements
- Enforcing corrective action
- Preparing Program applications

Field Trips

A site must be approved prior to submitting a field trip request.

1. When the field trip has a location or time different from the application, a request must be submitted for approval well in advance.

2. TDHS will approve pending field trips.

Advance Payments

- Payments to assist sponsors with operation costs
- Conservatively estimate the amount needed
 - Request lowest amount needed (max \$40K)
- Advance payments are automatically recouped out of SFSP reimbursement before payment to sponsors
 - Advances are distributed beginning June 1, July 15, and August 15
 - Advances can only be spent on allowable SFSP costs

FNS Special Instruction 796-4 Revision 4

Budgets

- A projected plan of expenses compared to income.
- Types of expenses
 - Food and Non-Food
 - Purchased Services
 - Administrative and Operational Labor:
 - Operating Costs
 - Administrative Costs
- Types of income
 - Income from Other Funding Sources
 - SFSP Reimbursement
- Approved by TDHS, can be amended anytime



No Kid Hungry Summer Meals Calculator:

bestpractices.nokidhungry.org/resource/no-kid-hungry-summer-meals-calculator

SFSP Memorandum 11-2015: *Assessing Costs in the Summer Food Service Program*,
February 25, 2015

Allowable Costs

Administrative

Labor

- ❖ Completing the application
- ❖ Attending training
- ❖ Consolidating meal counts
- ❖ Paying bills
- ❖ Claims

Office costs

- ❖ Telephone, postage, printing, utilities

Transportation

- ❖ Travel to training, monitoring sites

Operating Costs

Food

- ❖ Purchases, storage charges

Labor

- ❖ Preparing menus
- ❖ Purchasing food, delivery
- ❖ Point-of-service meal counts
- ❖ Clean up
- ❖ Processing, transporting, handling food and supplies

Other Costs

- ❖ Non-food items, repairs

Application Requirements





Department of
Human Services

Procurement

What is Procurement?

- ***Procurement*** is the act of finding, acquiring, or purchasing goods, services, or works from an external source, often via a competitive bidding process.

Procurement Standards

- **All** procurement of food, supplies, goods, and other services with Program funds must comply with procurement standards.
- State agency supplied contracts available in Download Forms

Common Types of Vendors

- Food Service Management Company (FSMC)
- School Food Authority (SFA)



Procurement Types

- Invitation for Bid (over \$250,000)
- Small Purchase Agreement (\$10,000-\$250,000)
- Micro-purchases (less than \$10,000)
- School Food Authority (any amount)

Invitation for Bid

- Submit the following to the State agency for approval before the process begins:
 - Public notice (advertisement)
 - Bid solicitation/response letter
 - Invitation for bid packet
- Submit after bid opening but prior to award:
 - IFB Packet from the winning bidder, disqualified bids
 - Proof of public notice
 - Documentation of bid distribution
- After bid award:
 - Signed IFB

Invitation for Bid (cont.'d)

- Geographic Preference
- Qualified Bidders
- Contract awarded to lowest bidder

Small Purchase Agreements

- Small Purchase Agreements are transactions less than \$250,000; are considered informal but must still follow procurement rules
- Sponsors must make purchases from all qualified sources equally
- “Share the Wealth”

Small Purchase Documentation

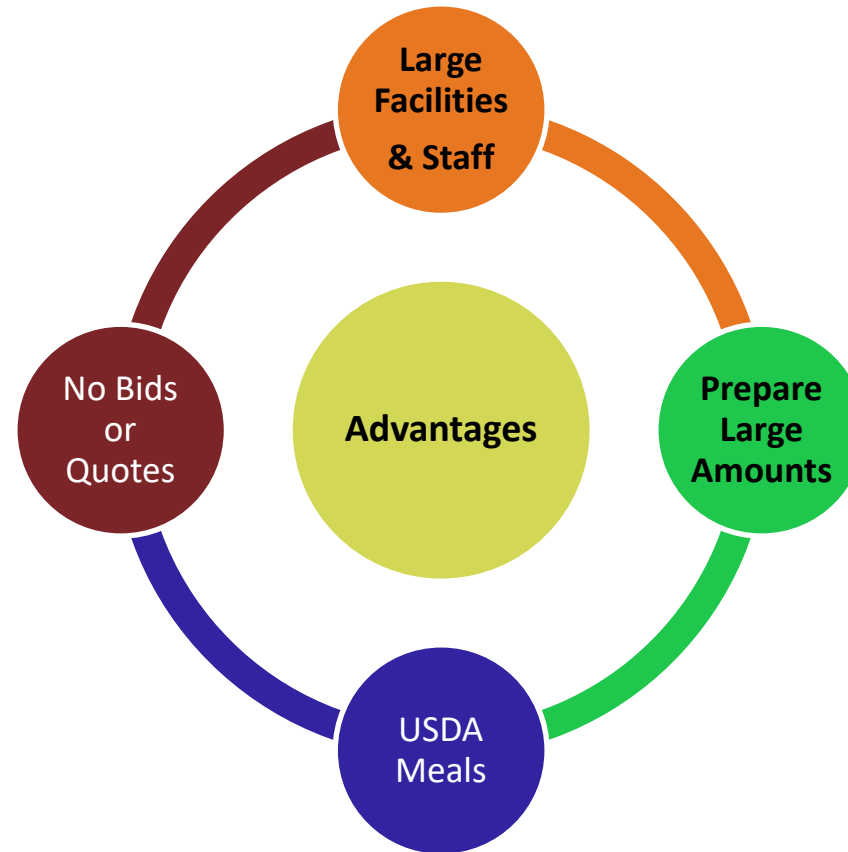
Copies of solicitation documents

- Names and dates of suppliers contacted
- Letters, emails, and faxes soliciting price quotes
- Trip reports
- Price or rate quotes received
- Notification to successful supplier
- Purchase documentation

Micro-Purchases

- Micro-purchases are those less than \$10,000.
 - Small quantities of different types of items
 - Each purchase is a separate transaction that totals less than the threshold

School Food Authority Contracts



Less-Than-Arms-Length Transactions

- You must inform TDHS of any less-than-arms-length transactions for review.
- “Arm’s length” means the buyer and seller act independently and have no relationship

Resources

- SFSP 2016 Administration Guide for Sponsors
 - Chapter 6
- SFSP Memorandum 13-2004, *Procurement Thresholds in the Summer Food Service Program*, January 10, 2014
- Department of Human Services Policies and Procedures: 9.01 Food Program Procurement Process
- 2 CFR Part 200.317-326
- 7 CFR Part 225.17

Procurement Questions





Meal Service Requirements

What is Required in the Site Application?

Provide site information to TDHS via TIPS

- **Meals to be served**
- **Time of meal service**
- **Site capacity**
- **Type of site/eligibility**
- **Meal preparation method**



Number and Type of Reimbursable Meals

- **Sponsors of open, restricted open, and enrolled sites:**
 - **May serve up to two meals each day**
- **Breakfast and lunch**
- **Breakfast and supper**
- **Breakfast and snack**
- **Lunch and snack**
- **Supper and snack**
- **Two snacks**

***Meal combinations consisting of a lunch and supper are unallowable**



Number and Type of Reimbursable Meals

- **Sponsors of camps and migrant sites:**
 - **May be reimbursed for serve up to three meals per child each day**
- Breakfast, lunch, and supper
- Breakfast, lunch, and snack
- Breakfast, supper, and snack
- Lunch, supper, and snack



SFSP Meal Components

- Fluid Milk
- Fruits/Vegetables
- Grains
- Meat/Meat Alternate



Meal Pattern Requirements

For a Meal to be Reimbursable, it Must Contain:

Breakfast	Lunch or Supper	Snack
<ul style="list-style-type: none">– One serving of milk;– One serving of a vegetable or fruit or a full-strength juice; and– One serving of grain or bread.– A meat or meat alternate is optional.	<ul style="list-style-type: none">– One serving of milk;– Two or more servings of vegetables and/or fruits;– One serving of grain or bread; and– One serving of meat or meat alternate.	<ul style="list-style-type: none">– Must contain two food items from different components. However, juice cannot be served when milk is served as the only other component.



Breakfast Meal Pattern

Select All Three Components for a Reimbursable Meal

1 milk	1 cup	fluid milk
1 fruit/vegetable	1/2 cup	juice,1 and/or vegetable
1 grains/bread ²	1 slice 1 serving 3/4 cup 1/2 cup 1/2 cup	bread or cornbread or biscuit or roll or muffin or cold dry cereal or hot cooked cereal or pasta or noodles or grains

1 Fruit or vegetable juice must be full-strength.

2 Breads and grains must be made from whole-grain or enriched meal or flour. Cereal must be whole-grain or enriched or fortified.

Lunch/Supper Meal Pattern

Select All Four Components for a Reimbursable Meal

1 milk	1 cup	fluid milk
2 fruits/vegetables	3/4 cup	juice, 1 fruit and/or vegetable
1 grains/bread ²	1 slice 1 serving 1/2 cup 1/2 cup	bread or cornbread or biscuit or roll or muffin or hot cooked cereal or pasta or noodles or grains
1 meat/meat alternate	2 oz. 2 oz. 2 oz. 1 large 1/2 cup 4 Tbsp. 1 oz. 8 oz.	lean meat or poultry or fish ³ or alternate protein product or cheese or egg or cooked dry beans or peas or peanut or other nut or seed butter or nuts and/or seeds ⁴ or yogurt ⁵

1 Fruit or vegetable juice must be full-strength.

2 Breads and grains must be made from whole-grain or enriched meal or flour. Cereal must be whole-grain or enriched or fortified.

3 A serving consists of the edible portion of cooked lean meat or poultry or fish.

4 Nuts and seeds may meet only one-half of the total meat/meat alternate serving and must be combined with another meat/meat alternate to fulfill the lunch or supper requirement.

5 Yogurt may be plain or flavored, unsweetened or sweetened.

Snack Meal Pattern

Select Two of the Four Components for a Reimbursable Snack

1 milk	1 cup	fluid milk
1 fruit/vegetable	3/4 cup	juice, 1 fruit and/or vegetable
1 grains/bread ²	1 slice 1 serving 3/4 cup 1/2 cup 1/2 cup	bread or cornbread or biscuit or roll or muffin or cold dry cereal or hot cooked cereal or pasta or noodles or grains
1 meat/meat alternate	1 oz. 1 oz. 1 oz. 1/2 large 1/4 cup 2 Tbsp. 1 oz. 4 oz.	lean meat or poultry or fish ³ or alternate protein product or cheese or egg or cooked dry beans or peas or peanut or other nut or seed butter or nuts and/or seeds or yogurt ⁴

1 Fruit or vegetable juice must be full-strength. Juice cannot be served when milk is the only other snack component.

2 Breads and grains must be made from whole-grain or enriched meal or flour. Cereal must be whole-grain or enriched or fortified.

3 A serving consists of the edible portion of cooked lean meat or poultry or fish.

4 Yogurt may be plain or flavored, unsweetened or sweetened.



Crediting Menus

Breakfast:

- 8 oz. low-fat milk
- 1-Whole Wheat Bagel
- ½ cup Fresh Strawberries

Snack:

- Red, Yellow Pepper Strips, Carrots
- Hummus
- Water

Lunch/Supper:

- 8 oz. Low-fat Chocolate Milk
- ½ cup Black Beans
- ¼ cup Pineapple Chunks
- Southwest Chicken Wrap (Chicken, Lettuce, Salsa)
- 1 Whole Wheat Tortilla Wrap

Can Sites Serve More?

- **Sites may choose to serve larger portions**
- **Extra food may be served to improve the nutrition of participating children**

Meals Served to Adults

- **Adult meals are not reimbursable under the SFSP**
- **All children must be fed first.**
- **Income from the sale of adult meals and non-Program funds used to pay for adult meals must be documented as income to the Program.**
- **Must be counted and recorded separately on the daily meal count form.**

Meals Served to Adults

- **Program Adults**
 - **Work directly with the meal service at sites**
 - **Meal can be served for free and counted as an operating cost**
- **Non-Program Adults**
 - **Do not work directly with the meal service**
 - **Served at no charge or full cost**

Leftover Meals

- **All sponsors must plan, prepare, and order meals with the objective of providing one meal per child at each meal service.**
- **Reduce the number of meals available if sites frequently have leftover food.**

Options for Leftovers

- **Transfer meals**
- **Provide seconds**
- **Share Table**
- **Donate meals**

Taking Meal Components Offsite

- Children must consume meals at the site
- One fruit, vegetable, OR grain item
- Must be from the child's own meal or from a share table

Resources

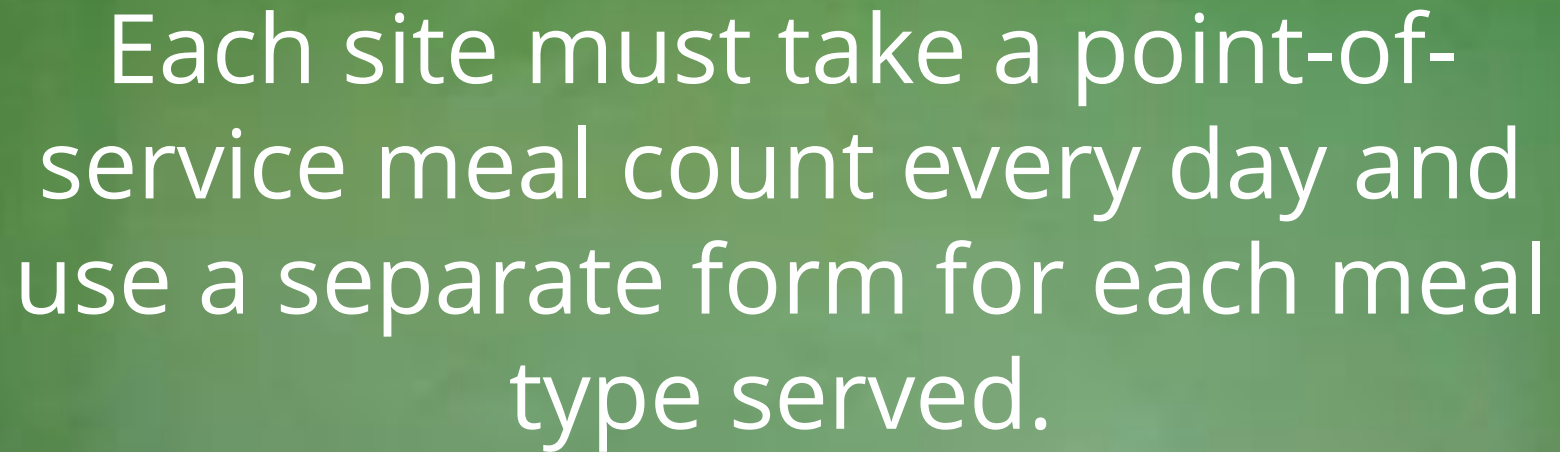
- **7 CFR 225**
- **<https://www.fns.usda.gov/sfsp/summer-food-service-program>**
- **SP 10-2017, SFSP 06-2017 Memorandum, *Meal Service Requirements in the Summer Meal Programs***
- **SP 41-2016, CACFP 13-2016, SFSP 15-2016 Memorandum, *The Use of Share Tables in the Child Nutrition Programs***
- **SFSP 06-2012: *Serving Additional Foods in Summer Food Service Program***

Meal Service Requirements

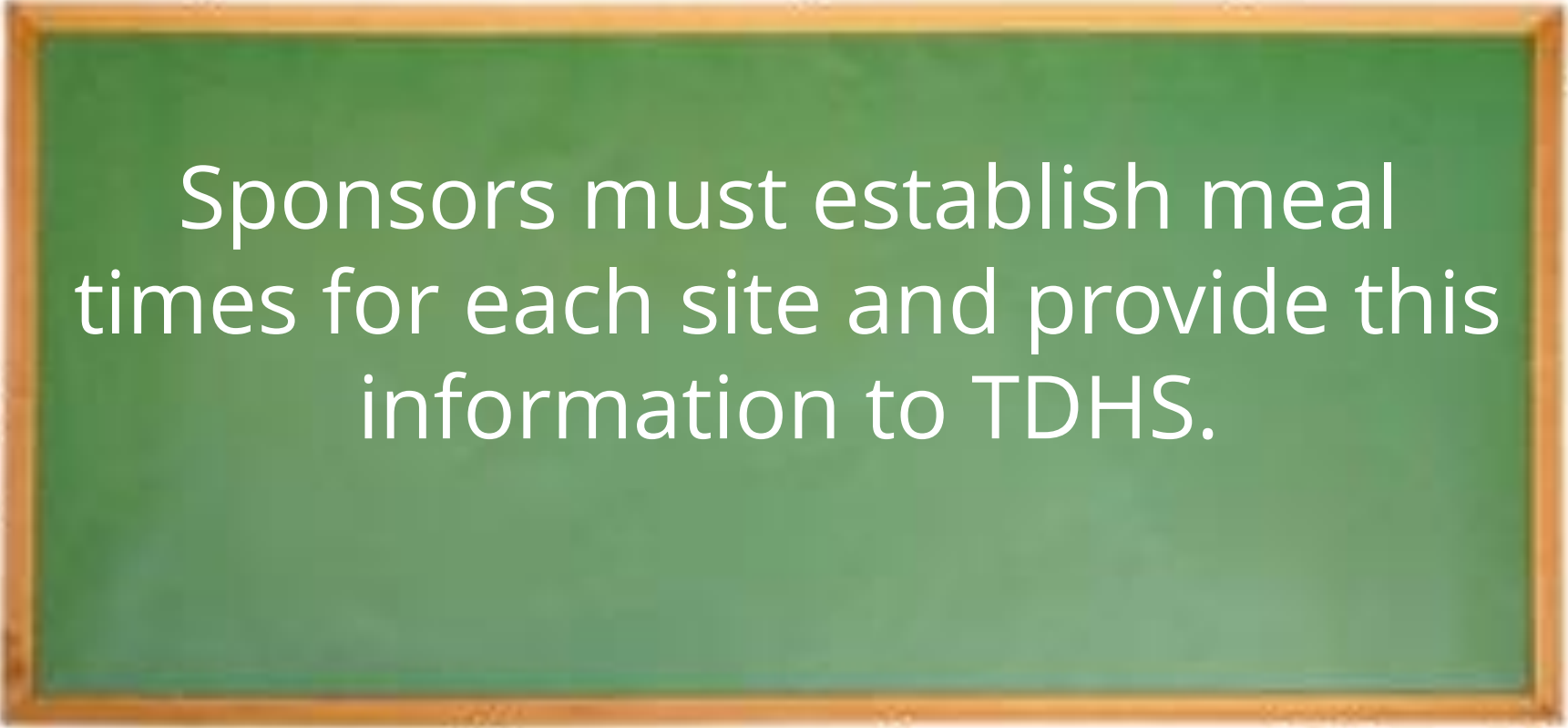




Daily Meal Count Form

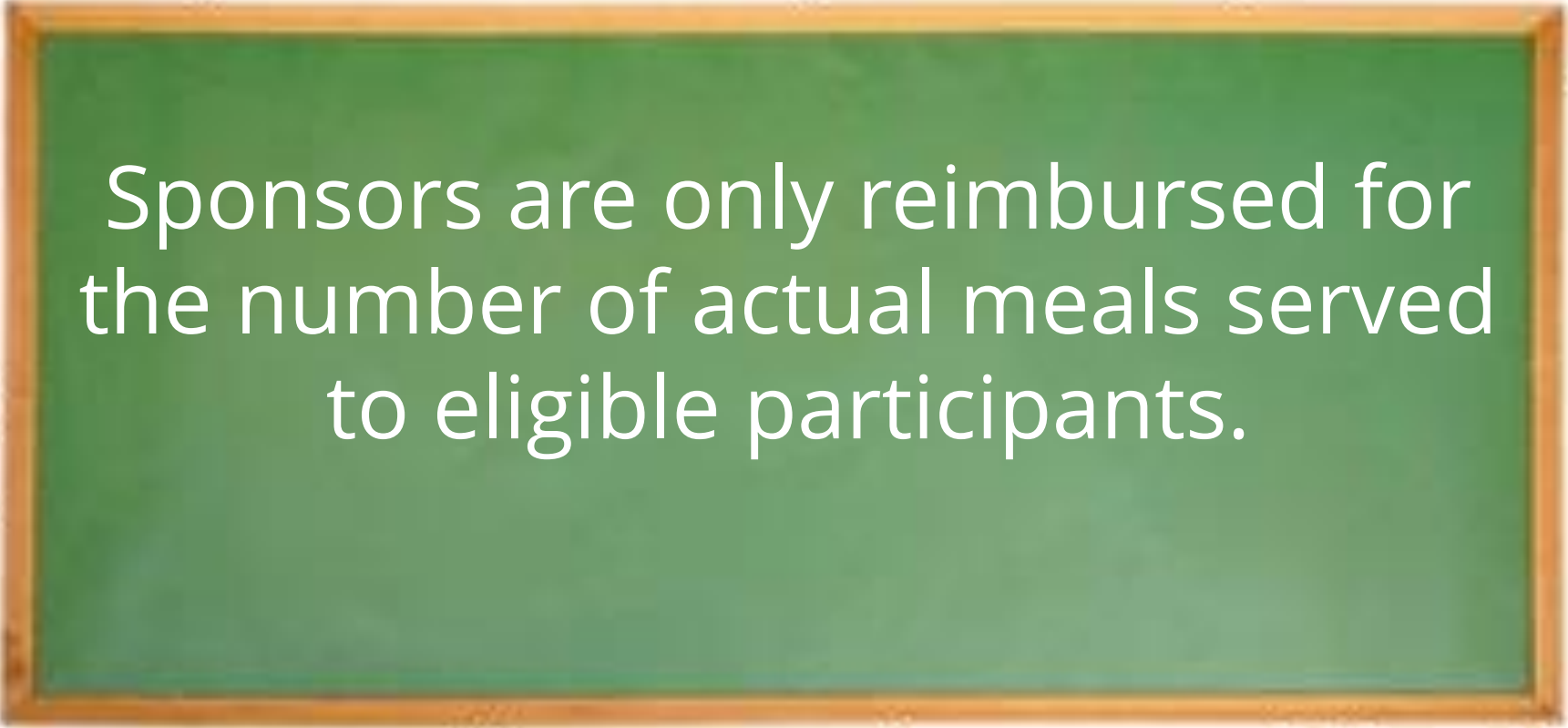


Each site must take a point-of-service meal count every day and use a separate form for each meal type served.

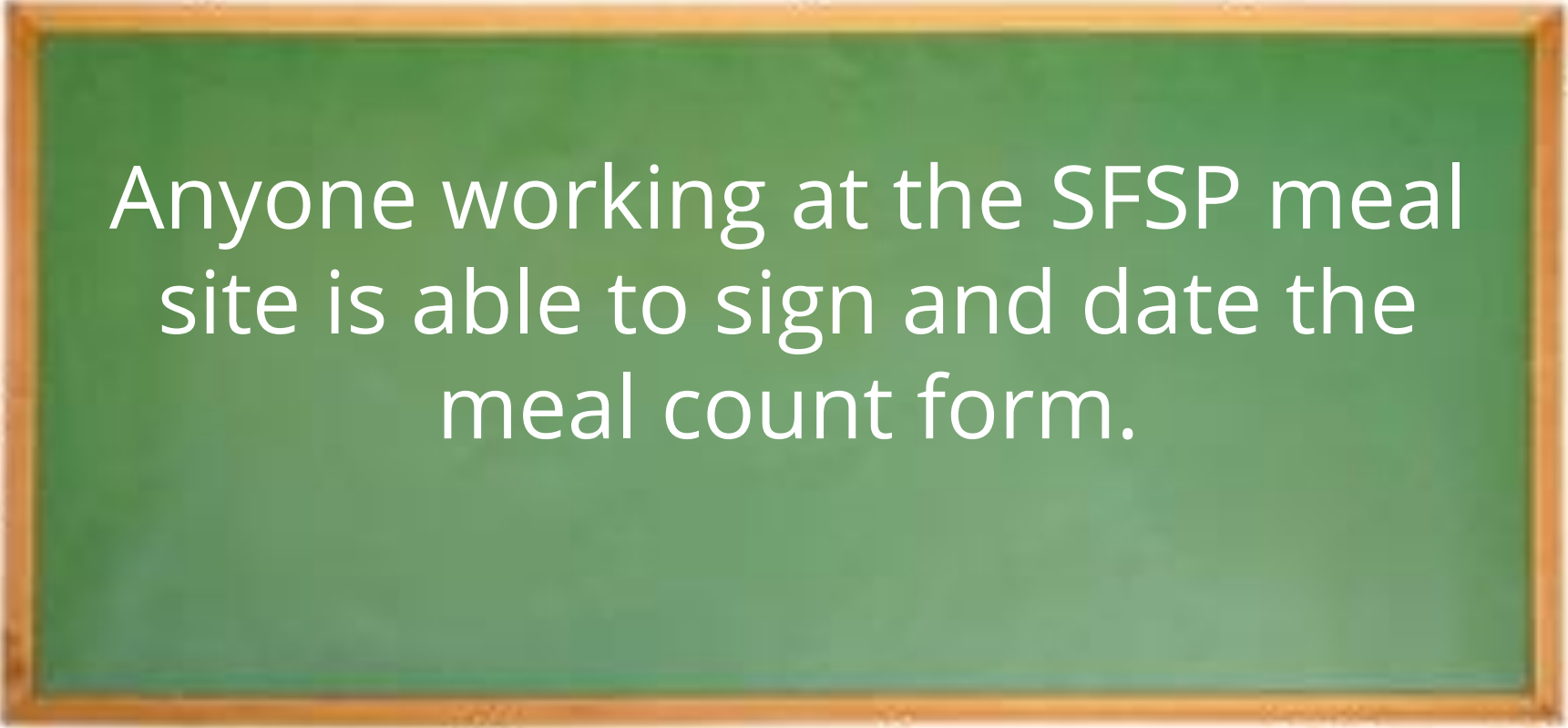


Sponsors must establish meal times for each site and provide this information to TDHS.

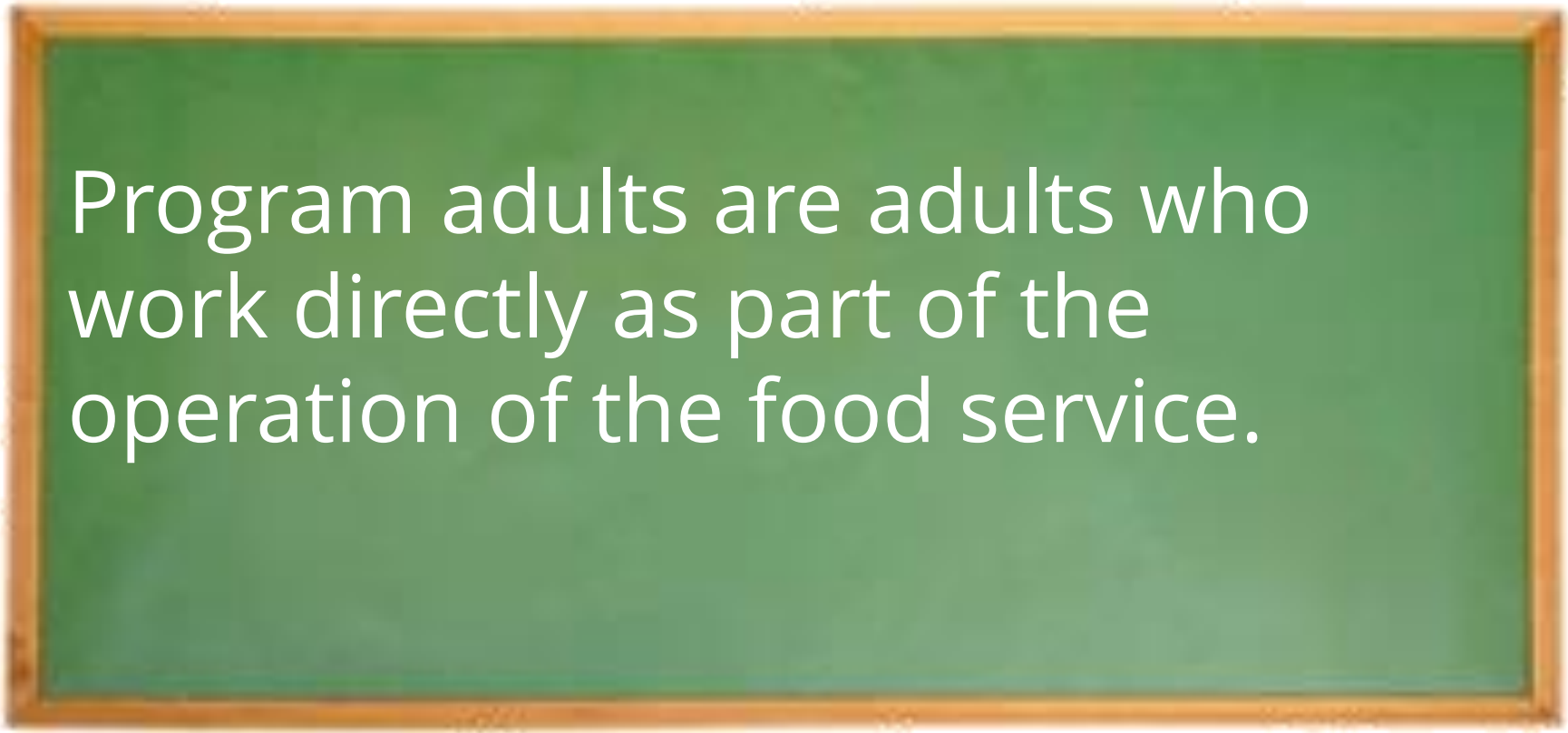
Meals must be delivered within two (2) hours of serving time if your site does not have a way to maintain foods at a safe temperature.



Sponsors are only reimbursed for the number of actual meals served to eligible participants.

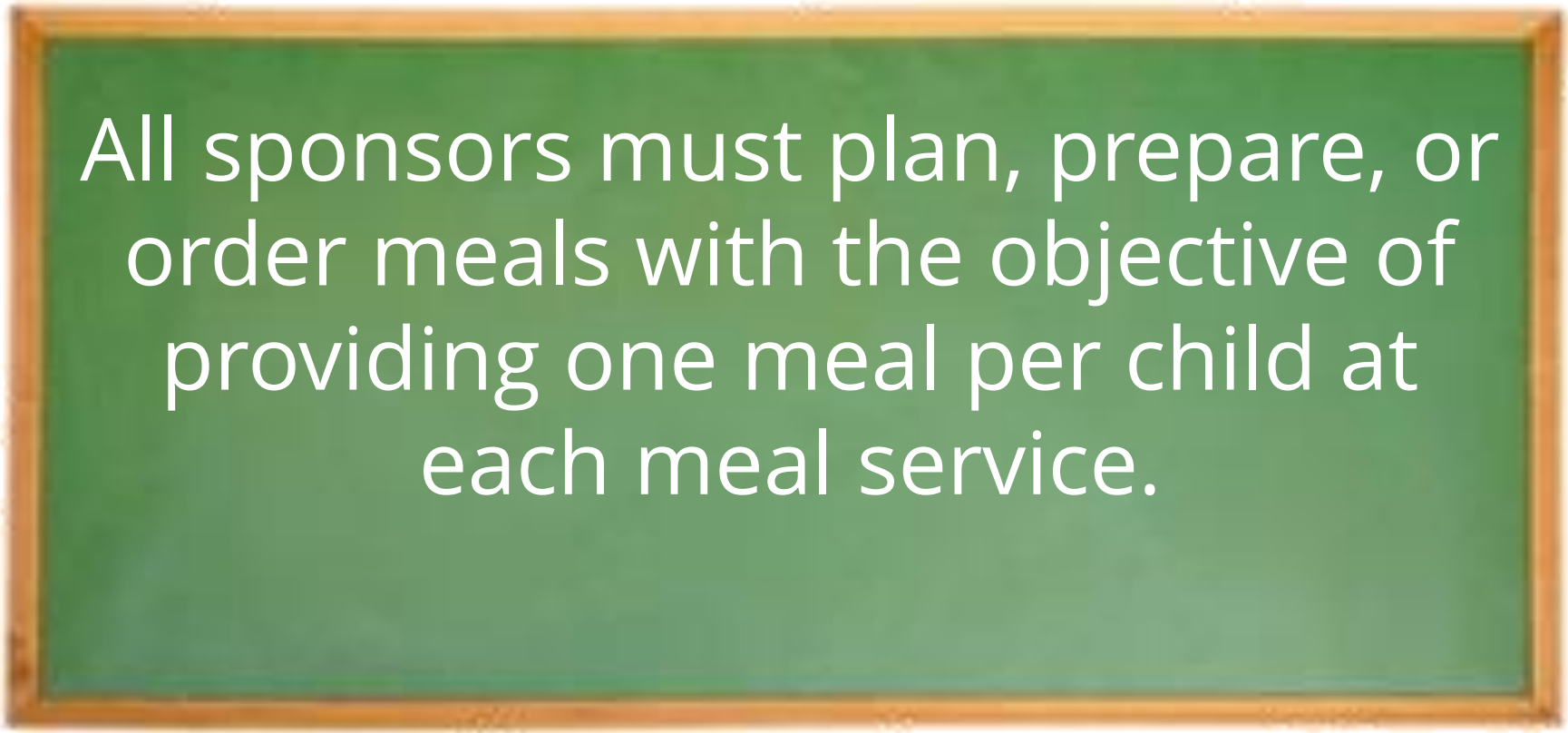


Anyone working at the SFSP meal site is able to sign and date the meal count form.



Program adults are adults who work directly as part of the operation of the food service.

Non-program adults are adults who are not directly involved in the operation of the food service.



All sponsors must plan, prepare, or order meals with the objective of providing one meal per child at each meal service.

Key Training Points

- Daily Meal Count Forms
- Point-of-service
- Completing the form
 - Who and How

What are Daily Meal Count Forms?

- Records that justify claims for reimbursement

DAILY MEAL COUNT FORM																				
Site Name:										Meal Type (circle): B L SN SU										
Address:										Telephone:										
Supervisor's Name:										Delivery Time:					Date:					
Meals received/prepared _____										+ Meals available from previous day _____					= _____ (Total meals available)					[1]
First Meals Served to Children (cross off number as each child receives a meal):																				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	
41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	
61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	
81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	
101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	
121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	
141	142	143	144	145	146	147	148	149	150	Total First Meals +										[2]
Second meals served to children:																				
1	2	3	4	5	6	7	8	9	10	Total Second Meals +										[3]

Why Do Meal Counts have to be taken at Point-of-Service?

- Accurate point-of-service counts are critical!
- Only complete meals served to eligible children can be claimed for reimbursement
- Meals are counted as they are served to guarantee accuracy
- Allows site personnel to ensure that only complete meals are served

Whose Job Is It?

SFSP Sponsor

- Provide record forms to sites
- Collect records at least weekly
- Ensure “the number of meals delivered ” on the site record is the same as the number on the vendor’s report

SFSP Site Supervisor

- Complete daily records
- Keep records based on the actual counts taken
- Use a separate form for each meal service
- Sign and date each Meal Count Form

Reminders

- Daily meal counts are records used to justify claims for reimbursement.
- Accurate point-of-service counts are critical!
- Complete meals served to eligible children can be claimed for reimbursement.
- The site supervisor must sign and date at the bottom of each form.
- As a sponsor review meal count forms daily!
- Some Red Flags:
 - Same number of meals served each day
 - Number of meals served each day is the exact number of meals delivered

Resources

- Administration Guide for Sponsors
 - <https://fns-prod.azureedge.net/sites/default/files/sfsp/AdminGuideSponsors.pdf>
- Memo SP 05-2016, SFSP 05-2016 Subject: Meal Service Requirements in the Summer Food Meal Programs, with Question and Answers
 - http://www.fns.usda.gov/sites/default/files/cn/SP05_SFSP05-2016os.pdf

Daily Meal Count Form



Farm to Summer



Farm to Summer

- **Helps bring local agriculture to meals in SFSP.**
- **Enables SFSP operators to enhance the quality of their programs.**

A collage of fresh summer produce including corn, tomatoes, carrots, and lemons.

Farm to Summer Benefits

- **Produce is served at the peak of freshness.**
- **Children taste foods that may not be available during the school year.**
- **Farmers and ranchers find new markets for products.**
- **Communities become engaged in agriculture-based activities.**
- **Farm to School programming increases enjoyment of school gardens.**



Farm to Summer Video

Farm to Summer





Department of

Human Services

Office of Inspector General Audit Services

SFSP

Food Program Monitoring Overview

Introduction

- ❑ The DHS Office of Inspector General (OIG) staff follows up on complaints, referrals, or identified potential fraud, waste, or abuse with the various programs that DHS administers. This includes SFSP. OIG staff conducts monitoring reviews of food program sponsoring organizations and feeding sites as a part of program integrity and compliance with Federal and State regulations.

Review Criteria

- ❑ All agencies are not required to be reviewed annually. DHS follows the review guidelines of the USDA and the Office of Management and Budget (OMB) when conducting SFSP monitoring reviews. In addition to the Sponsors that DHS monitor, the state's Comptroller Office auditors may also conduct auditing of the DHS programs. This is separate from DHS monitoring.

Question

- How often does Audit Services complete Monitoring Reviews for SFSP Sponsors?

Review Criteria

- ☐ Conduct a review of every new sponsor at least once during the first year of operation
- ☐ Annually review a number of sponsors whose program reimbursements, in the aggregate, accounted for at least one-half of the total program meal reimbursements in the State in the prior year
- ☐ Annually review every sponsor which experienced significant operational problems in the prior year;
- ☐ Review each sponsor at least once every three years
- ☐ Review Sponsors identified as high risk.

Preparing for Monitoring Visit

- ❑ SFSP sponsor training and Civil Rights training for site personnel must include name of attendees, date of training, and topics covered
- ❑ Comply with Civil Rights requirements:
 - *Collect Beneficiary data by both race and ethnicity
 - *Display the “ And Justice for All” poster publicly
- ❑ Site Approval information

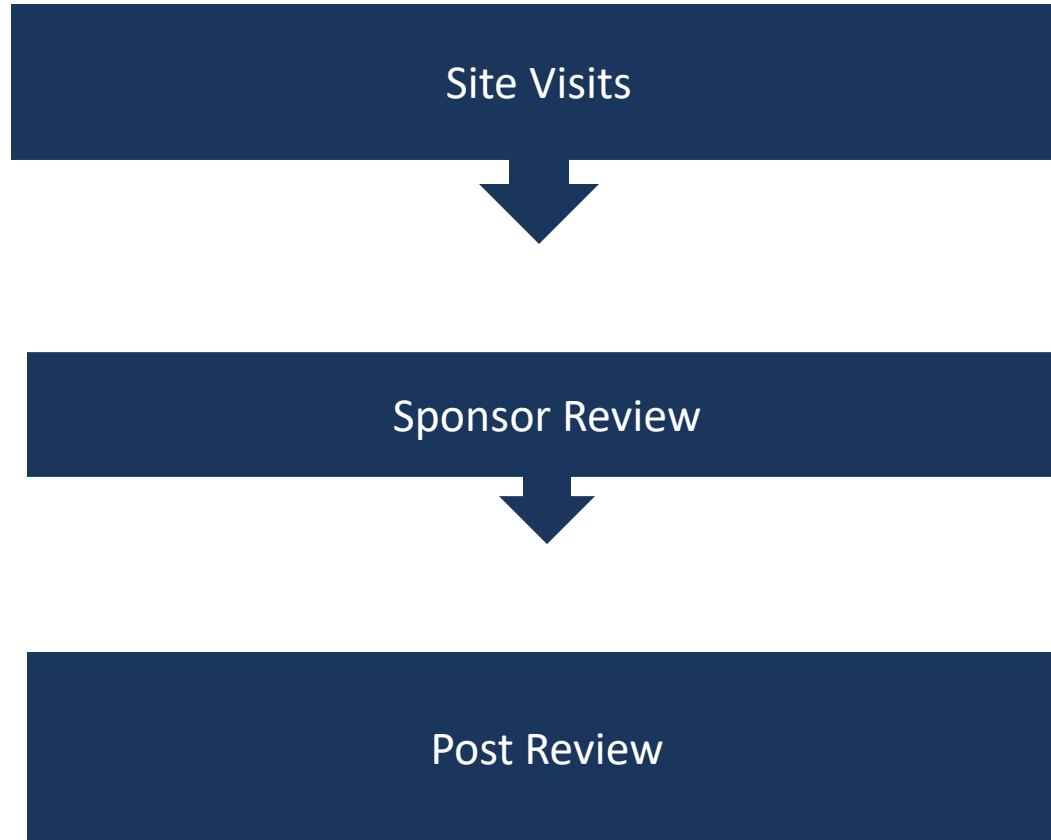
Preparing for Monitoring Visit

- ☐ Documentation of the monitoring review during the first week of operation and first 4 weeks of operation.
- ☐ Menus (for participation period)
- ☐ Food service management company contract/s (if applicable) and any other documentation pertaining to the meal service

Preparing for Monitoring Visit

- ☐ Daily and/or weekly meal count records
- ☐ Delivery Tickets (if applicable)
- ☐ Administrative and Operational cost documentation (timesheets, mileage claim records, receipts for expenses, inventory control sheets, invoices, bank records)

Audit Service Review Process



Fraud, Waste, or Abuse

Block Claiming – A claim with no variation in meal counts for a continuous 15-day period

Block counting – claiming the same number of meals for at least 3 days and inconsistent with observed meal

Never or rarely recording excess meals except on the day of review

Menu records does not reflect the actual meals served or receipts

Common Findings

What do you think was the most common finding in FY20 SFSP Monitoring?

- A. Sponsor did not purchase enough fluid milk for meals served requiring milk**
- B. Daily meal counts not completed properly**
- C. Sponsor reported the incorrect number of meals for reimbursement**
- D. Sponsor did not document staff training as required**

SFSP FY 20 Common Findings

- ☐ The incorrect number of meals reported for reimbursement (Title 7 of the Code of Federal Regulations, Section 225.9 (d)(5))
- ☐ The Sponsor not conducting monitoring as required (Title 7 of the Code of Federal Regulations, Section 225.15 (d)(3))
- ☐ Daily Meal Count Sheets not completed correctly (Title 7 of the Code of Federal Regulations, Section 225.15 (c)(1))
- ☐ Milk shortages (Title 7 of the Code of Federal Regulations, Section 225.16(d))
- ☐ USDA meal pattern requirements not being met (Title 7 of the Code of Federal Regulations, Section 225.16 (d))
- ☐ Sponsor did not maintain delivery tickets (Summer Food Service Program 2016 Administration Guide for sponsors, page 139)
- ☐ Racial and Ethnic data not maintained or completed correctly (Summer Food Service Program 2016 Administration Guide for sponsors, page 122)

Keys to a Successful Monitoring Visit

- ❑ Understand your provider agreement
- ❑ Become familiar with 7 CFR 225
- ❑ Read and follow the instructions within handbooks provided by the DHS food program management and USDA

Questions



Contact Information

- Lisa Holbrook
- Lisa.holbrook@tn.gov
- 901-229-5890



Department of
Human Services

Civil Rights

This institution is an equal opportunity provider.

Federal Requirement

- Civil Rights training is an annual requirement for:
 - State agencies,
 - Sponsoring organizations,
 - Centers,
 - Family day care home providers, and
 - Sites.
- Required of all who are participating in the Child and Adult Care Food Program (CACFP) and/or the Summer Food Service Program (SFSP).

Objectives

1. Civil Rights Coverage and Legal Authorities
2. Areas of Compliance
 1. Public notification requirements
 2. Assurances
 3. Complaints of discrimination
 4. Civil Rights training
 5. Racial and ethnic data collection
 6. Limited English Proficiency (LEP)
 7. Disability discrimination
 8. Compliance reviews
 9. Resolution of noncompliance
 10. Voluntary Resolution Agreements
 11. Customer Service

Why Civil Rights Training?

- Training is required so that individuals involved in all levels of administration of Programs that receive Federal financial assistance understand Federal laws, regulations, instructions, policies and other guidance.
- Anyone implementing or overseeing a USDA nutrition program is required to take annual Civil Rights training to:
 - Keep aware of our responsibilities,
 - Understand how to treat program applicants and participants, and
 - Be knowledgeable of the process for filing complaints.
- Eliminate discrimination

Civil Rights Legal Authorities

- Title VI of the Civil Rights Act of 1964
 - Race, Color, and National Origin
- Civil Rights Restoration Act of 1987
 - Clarifies the scope of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act (ADA) of 1990; Amendments Act of 2008
 - Disability
- Age Discrimination Act of 1975
 - Age
- Title IX of the Education Amendments of 1972
 - Sex
- Title 7 CFR Parts 15, 15(a), and 15(b)
 - Nondiscrimination, Education, Disability

Civil Rights Legal Authorities

- Executive Order 13166—"Improving Access to Services for Person with Limited English Proficiency" (August 11, 2000)
 - LEP
- USDA LEP Policy Guidance (79 Fed. Reg. No. 229, November, 28, 2014)
 - LEP
- 28 CFR Part 35: Nondiscrimination on the Basis of Disability in State/Local Government Services
- 28 CFR Part 42: Nondiscrimination in Federally Assisted Programs
- USDA Departmental Regulation 4330-2 (nondiscrimination regulations)

Civil Rights Program Authorities

- Richard B. Russell National School Lunch Act of 1946
- Child Nutrition Act of 1966
- 7 CFR Part 226 (CACFP) and 7 CFR Part 225 (SFSP)
- FNS Instruction 113-1 and Appendix B Child Nutrition Programs (CNP)
- CACFP 14-2017, SFSP 10-2017 *"Modifications to Accommodate Disabilities in the Child and Adult Care Food Program and Summer Food Service Program"*

Equal Opportunity for Religious Organizations

Title 7 CFR Part 16: Ensures a level playing field for the participation of faith-based organizations and other community organizations in USDA programs.

A religious organization may:

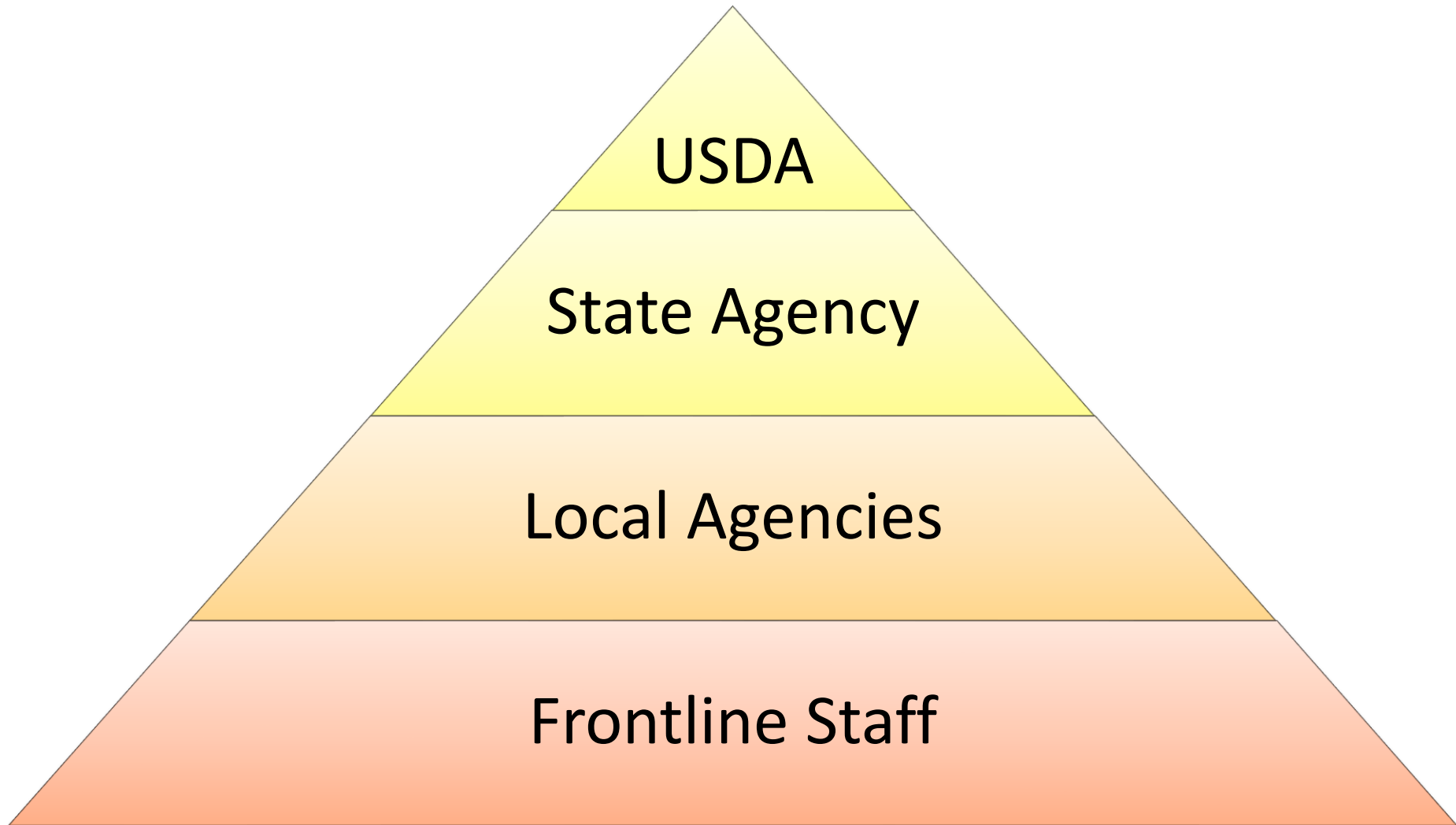
- ❖ Use space in its facilities to provide services/programs without removing religious art, icons, scriptures, or other religious symbols.
- ❖ Retain religious terms in its organization's name.
- ❖ Select its board members and otherwise govern itself on a religious basis.
- ❖ Include religious references in its mission statements and other governing documents...

A religious organization may not:

- ❖ Use USDA direct assistance to support any inherently religious activities, such as worship, religious instruction, or proselytization.

(Title 7 CFR § 16.2(b))

Civil Rights Training Matrix

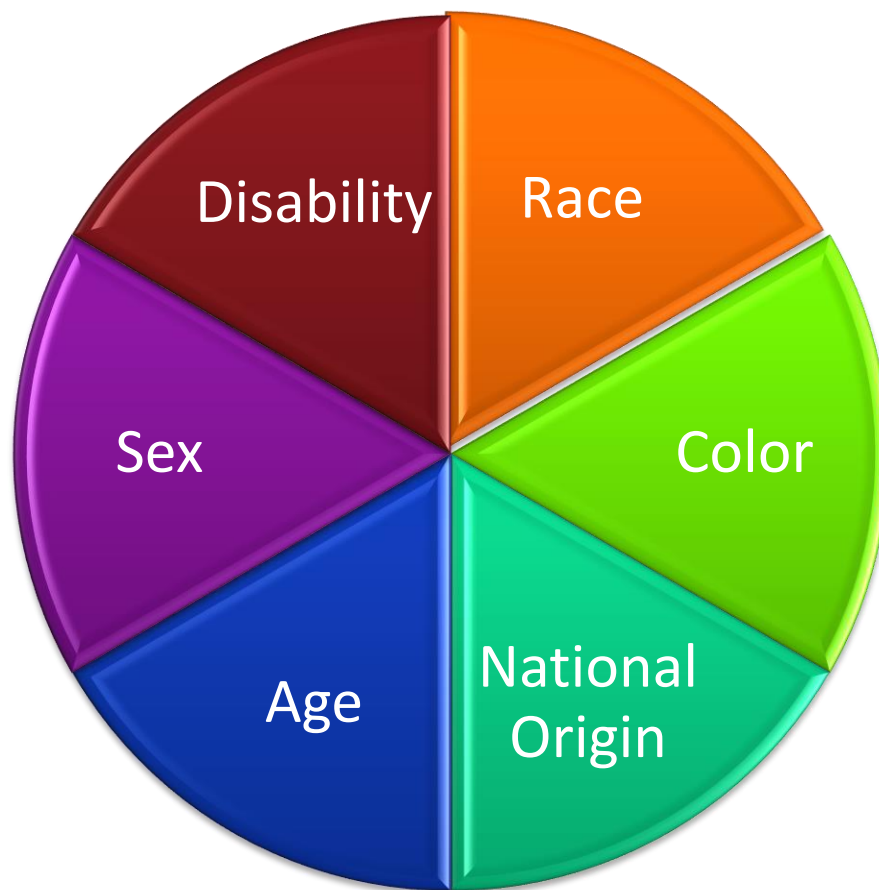


What is Discrimination?

Discrimination is *different treatment* which makes a *distinction* of one person (or a group of persons) from others...

...either intentionally, by neglect, or by the actions or lack of actions based on Federally protected classes.

Protected Classes in Child Nutrition Programs



Assurances

- Program application must include a written assurance that the program or facility will be operated in compliance with Civil Rights laws and nondiscrimination regulations.
- Civil Rights assurance statement must be included in agreements between Federal and State agencies, State and Food Program sponsors, and Food Program sponsors and the sub-recipients.

» FNS Instruction 113-1, Appendix B(D)(2) and form FNS-74



Public Notification

- All FNS assistance programs must include a public notification system.
- The public notification must contain certain elements:
 - ❖ Program Availability
 - ❖ Complaint Information
 - ❖ Nondiscrimination Statement

Elements of Public Notification

- Program Availability
 - Inform applicants, participants, and potentially eligible persons of their program rights and responsibilities and the steps necessary for participation.
- Complaint Information
 - Advise applicants and participants at the service delivery point of their right to file a complaint, how to file a complaint, and the complaint procedures.
- Nondiscrimination Statement
 - All information materials and sources, including websites, used by FNS, State agencies, local agencies, or other sub-recipients to inform the public about FNS programs must contain a nondiscrimination statement.
 - It is not required to be included on every page of the program website. At minimum, the nondiscrimination statement or a link to it must be included on the home page of the program information.

Elements of Public Notification

State agencies and other sub-recipients must:

- Make program information available to the public upon request;
- Prominently display the “And Justice for All” poster;
- Inform potentially eligible persons, applicants, participants, and grassroots organizations of programs or changes in programs;
- Convey the message of equal opportunity in all photos and other graphics that are used to provide program or program-related information; and
- Provide appropriate information in alternative formats for persons with disabilities and in the appropriate language(s) for LEP persons.

Nondiscrimination Statement

In accordance with civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistance Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov

This institution is an equal opportunity provider.

Nondiscrimination Statement (Spanish)

De conformidad con la Ley Federal de Derechos Civiles y los reglamentos y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA, por sus siglas en inglés), se prohíbe que el USDA, sus agencias, oficinas, empleados e instituciones que participan o administran programas del USDA discriminen sobre la base de raza, color, nacionalidad, sexo, discapacidad, edad, o en represalia o venganza por actividades previas de derechos civiles en algún programa o actividad realizados o financiados por el USDA.

Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano, etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las personas sordas, con dificultades de audición o discapacidades del habla pueden comunicarse con el USDA por medio del Federal Relay Service [Servicio Federal de Retransmisión] al (800) 877-8339. Además, la información del programa se puede proporcionar en otros idiomas.

Para presentar una denuncia de discriminación, complete el Formulario de Denuncia de Discriminación del Programa del USDA, (AD- 3027) que está disponible en línea en: http://www.ascr.usda.gov/complaint_filing_cust.html y en cualquier oficina del USDA, o bien escriba una carta dirigida al USDA e incluya en la carta toda la información solicitada en el formulario. Para solicitar una copia del formulario de denuncia, llame al (866) 632-9992. Haga llegar su formulario lleno o carta al USDA por:

(1) correo: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; o

(3) correo electrónico: program.intake@usda.gov.

Esta institución es un proveedor que ofrece igualdad de oportunidades.

Nondiscrimination Statement

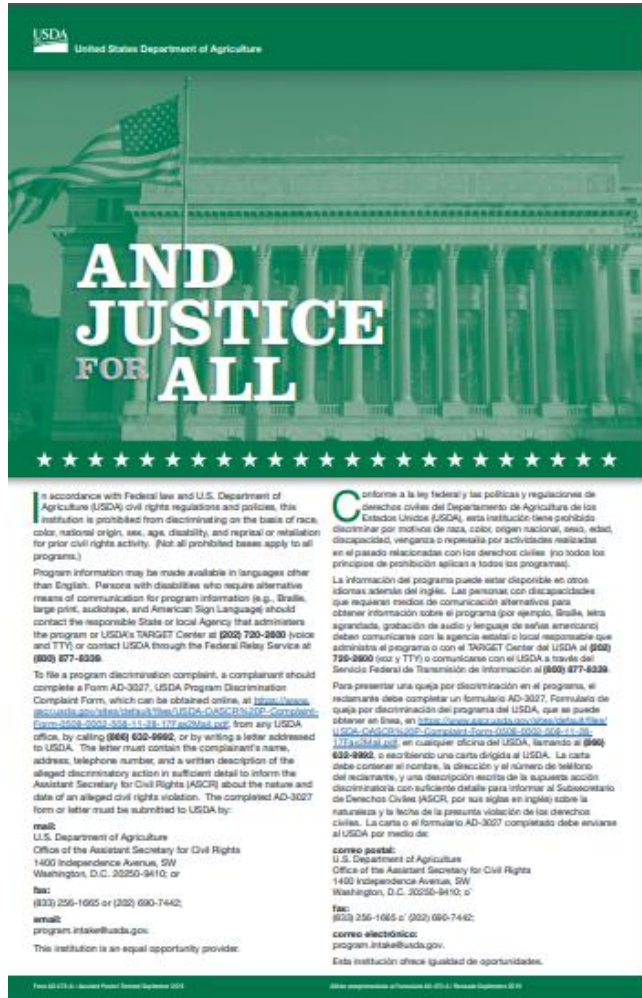
At minimum, the nondiscrimination statement should be included on:

- ❖ Application form(s)
- ❖ Notification of eligibility or ineligibility
- ❖ Notice of Adverse Action forms
- ❖ Program (home) web page
- ❖ Public information, including program literature

Nondiscrimination Statement

- USDA Nondiscrimination Statement (NDS)
 - Short version
 - **This institution is an equal opportunity provider.**
 - **Esta institución es un proveedor que ofrece igualdad de oportunidades.** (Spanish)
 - Can be used only in special circumstances
 - Translations
 - Other languages are forthcoming

“And Justice For All” Poster



- Display the poster in a prominent location for all to view.
- AD-475A is the required version.

Complaints of Discrimination

- Complaints shall:
 - Be accepted and forwarded to the USDA;
 - Filed within 180 days from the alleged act of discrimination;
 - Be written, verbal, or anonymous;
- State agencies or sub-recipient agencies may develop their own complaint forms, but the use of such forms cannot be a pre-requisite for acceptance;
- A separate Civil Rights complaint log shall be maintained by the State and sub-recipient agency;
- Confidentiality is extremely important and must be maintained.

Civil Rights Complaints Process

- Complaints should include:
 - Name, address, telephone number of the complainant
 - The location and name of the organization or office
 - The nature of the incident or action
 - The names, titles, and business addresses of persons who may have knowledge of the discriminatory action
 - The date(s) during which the alleged discriminatory actions occurred
 - The basis for the alleged discrimination

Civil Rights Complaints Process

USDA Discrimination Complaint Form

English

http://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf

Spanish

http://www.ocio.usda.gov/sites/default/files/docs/2012/Spanish_Form_508_Compliant_6_8_12_0.pdf

Civil Rights Training

- State agencies are responsible for training sub-recipient agencies on an **annual basis**.
- Sub-recipient agencies are responsible for training their local sites, including “frontline staff” who interact with applicants or participants, on an **annual basis**.
- New employees and volunteers must be trained **before** participating in Program activities.

Civil Rights Training

- All staff should receive training on all aspects of Civil Rights including:
 - Collection and use of data
 - Effective public notification systems
 - Complaint procedures
 - Compliance review techniques
 - Resolution of noncompliance
 - Requirements for reasonable modification of persons with disabilities
 - Requirements for language assistance
 - Conflict resolution and customer service

Race/Ethnic Data Collection

Purpose:

- ❖ To determine how effectively FNS programs are reaching potentially eligible persons and beneficiaries
- ❖ As a means of monitoring Civil Rights compliance, State agencies will establish a system for the collection of racial/ethnic data of each person applying for and receiving benefits.

Race/Ethnicity Data Collection

- ❖ Applicants will be assured that the information is required for and used for statistical purposes only and has no effect on eligibility criteria.
- ❖ Data should be collected at the point of application and retained at the service delivery area for CACFP.
- ❖ SFSP data should be collected once for each session—typically during the first week visit.

Race/Ethnic Data Collection

Two Question Format

1. Ethnicity (must select one of the following)

- *Hispanic or Latino*
- *Not Hispanic or Latino*

2. Race (select one or more of the following)

- *American Indian or Alaskan Native*
- *Asian*
- *Black or African American*
- *Native Hawaiian or Other Pacific Islander*
- *White*

LEP Requirements

Title VI and its implementing regulations, Executive Order 13166, and USDA LEP guidance require...

...Federal agencies and recipients (State agencies, local agencies, or other sub-recipients) to take reasonable steps to ensure “meaningful” access to their programs and activities by Limited English Proficiency (LEP) persons.

(FNS Instruction 113-1, Section VII)

Who Are Persons With LEP?



Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

مرحبا العالم! **Hallo Welt!**
Hej Värld! **Hello World!**
Ciao Mondo
ハローワールド!
iOlá mundo! 世界您好!
Salut le Monde!



LEP and Program Access

Factors to consider in addressing LEP:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered within the area serviced by the recipient.
2. Frequency with which LEP individuals come in contact with the program.
3. Nature and importance of the program, activity, or service provided by the program.
4. Resources available to the recipient and costs.

Translated Applications

fns.usda.gov/school-meals/translated-applications

Albanian	Hmong	Punjabi
Amharic	Igbo	Romanian
Arabic	Ilokano	Russian
Armenian	Italian	Samoan
Bengali	Lu Mien	Serbian
Bosnian	Jamaican Creole	Somali
Burmese	Japanese	Sudanese
Chinese	Karen	Spanish
Croatian	Khmer	Tagalog
Farsi	Korean	Thai
French	Kru	Tigrinya
French Creole	Kurdish	Ukrainian
Greek	Laotian	Urdu
Gujarati	Nepali	Vietnamese
Haitian Creole	Polish	Yiddish
Hindi	Portuguese	Yoruba

LEP and Program Access

- States must conduct assessments to determine a language profile for their State, taking into account regional differences and updating, as appropriate.
- Translation of vital documents is required.
- Notification of free interpretation services is required.
- Front line staff training concerning how to provide LEP populations with meaningful access is paramount.

LEP and Program Access

Population data sources:

- Interagency LEP Website –Mapping Tool
<http://www.lep.gov/maps/>
- US Census Data
<http://www.census.gov/2010census/data/>
- American Community Survey
<http://www.census.gov/acs/>
- Migration Policy Institute's National Center on Immigrant Integration Policy
<http://www.migrationpolicy.org/>

Disability Discrimination

- Sections 504 of the Rehabilitation Act of 1973 and USDA implementing Regulation, 7 CFR Part 15b
 - prohibits discrimination based on disability in programs or activities receiving Federal financial assistance.
- Americans with Disabilities Act (ADA), 28 CFR Part 35, Title II, Subtitle A
 - prohibits discrimination on the basis of disability in all services, programs, and activities provided to the public by State and local governments.
- These Civil Rights laws protect persons with disabilities if they are potential applicants or participants in any FNS funded programs.

Disability Discrimination

What is the definition of *disability*?

A person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

Also included are:

- functions of the immune system,
- normal cell growth,
- digestive, bowel, bladder,
- neurological,
- brain,
- respiratory,
- circulatory,
- cardiovascular,
- endocrine,
- and reproductive functions.



*Major life activity means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(ADA Amendments Act of 2008)

Disability Discrimination

- The Americans with Disabilities Act (ADA) requires public entities to make reasonable modifications in their usual ways of doing things when necessary to accommodate people who have disabilities.
 - e.g. provide Braille, large print, audio tape, other auxiliary aids or services
- Providing qualified sign language interpreters for persons with hearing disabilities may be necessary to effectively communicate with applicants and participants.

Compliance Reviews

Purpose: to examine the activities of State agencies, local agencies, and sub-recipients to determine Civil Rights compliance

- FNS Civil Rights and Program staff review State agencies.
- FNS staff and State agencies review sponsors.
- Sponsors review their sub-recipients.

Significant findings must be provided in writing to the reviewed entity and to FNS.

Compliance Reviews

There are three types of compliance reviews:

1. Pre-Award Reviews
2. Routine (Post-Award) Reviews
3. Special Reviews

Compliance Reviews

Pre-Award or Pre-Approval Reviews

State agencies, sponsors, or other sub-recipients must be in compliance with Civil Rights requirements prior to approval for Federal financial assistance.

(FNS Instruction 113-1, Appendix B)

Compliance Reviews

Routine (Post-Award) Reviews

FNS and State agencies must conduct routine compliance reviews as identified by FNS Instruction 113-1 and program-specific regulations and policies.

Sample routine review questions:

1. Do printed materials contain the nondiscrimination statement?
2. Is the *And Justice for All* poster displayed appropriately?
3. Are program informational materials available to all?
4. Is data on race and ethnicity collected appropriately?
5. How are applicants and participants advised of their right to file a Civil Rights complaint of discrimination?
6. Are reasonable modifications appropriately made for people with disabilities?

Compliance Reviews

Special Reviews

- May be scheduled or unannounced;
- To follow-up on previous findings of noncompliance
- To investigate reports of noncompliance by other agencies, media, or grassroots organizations
- May be specific to an incident or policy
- History of statistical underrepresentation of particular group(s)
- Pattern of complaints of discrimination

Resolution of Noncompliance

- A factual finding that any civil rights requirement, as provided by law, regulation, policy, instruction, or guidelines, is not being adhered to by a State agency, sub-recipient agency, or a local site.
- Steps must be taken immediately to obtain **voluntary** compliance.
- A finding's effective date is the date of notice to the reviewed entity.

Voluntary Resolution Agreement (VRA)

- A VRA is an agreement that recipient(s) are willfully consenting to undertake remedial actions to address identified areas of noncompliance or in violation with applicable civil rights laws and/or regulations.
- The VRA may be between multiple parties such as the officials in authority to regulate civil rights laws (FNS Civil Rights Division (FNSCRD)), recipient or sub-recipient (State agency), and program participant (Complainant).
- VRAs may be used to closeout a Civil Rights Compliance Review at the discretion of FNSCRD in lieu of issuing a written Compliance Review report with findings.

Customer Service

- ❖ Treat customers with respect and dignity
- ❖ Exercise good listening skills
- ❖ Learn to empathize with the customer
- ❖ Respond to questions in a non-threatening manner
- ❖ Communicate rules, rights and responsibilities
- ❖ Recognize and appreciate customer needs and resources
- ❖ Recognize changes in a customer's demeanor

Customer Service: Professionalism

Respond to customers professionally by:

- ❖ Avoid interrupting the customer
- ❖ Be understanding
- ❖ Talk calmly and slowly
- ❖ Apologize
- ❖ Identify the problem
- ❖ Determine a solution
- ❖ Follow-up personally

Customer Service

Always avoid:

- ❖ Passing a complainant to a co-worker
- ❖ Letting the complainant “talk themselves out and calm down”
- ❖ Putting a complainant on hold or left in a waiting room without useful updates
- ❖ Stating, “Sorry, it’s not my job!”

Customer Service: Conflict Resolution Tools

- ❖ Win-win
- ❖ Turning problems into possibilities
- ❖ Demonstrating empathy
- ❖ Appropriate assertiveness
- ❖ Cooperative power
- ❖ Managing emotions
- ❖ Willingness to resolve conflict

Questions



USDA Non-discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Complaint Form, (AD-3027) found online at: How to File a Complaint, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov.

Thank You

THANK

You